

cured by the use of this preparation. * * * it saved my life * * * my wife was attacked with stomach trouble. * * * after taking twenty-four bottles she was restored to health within fifteen months. * * * I have been using your catarrh remedy for a short time and find it to be the best I have ever seen," which said statements appearing on the said bottle, carton, and booklet were false and fraudulent since the article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 24, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11492. Adulteration and misbranding of olive oil. U. S. v. 25 Cans of Alleged Olive Oil. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 15223. I. S. No. 5082-t. S. No. E-3465.)

On or about July 22, 1921, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 25 cans, $\frac{1}{4}$ -gallon size, of alleged olive oil, alleging that the article had been shipped by the Italy Commercial Co., New York, N. Y., on or about May 12, 1921, and transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Qualita Superiore * * * Olio * * * Puro Garantito Sotto Qualsiasi Analisi Chimica * * * $\frac{1}{4}$ Gallon Net."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article was mixed in a manner whereby damage or inferiority was concealed.

Misbranding of the article was alleged in substance for the reason that the labels on the cans containing the said article bore the following statements, designs, and devices, "Qualita Superiore * * * Olio * * * Puro Garantito Sotto Qualsiasi Analisi Chimica," together with a foreign design and the use of a foreign language, which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article, to wit, olive oil, and for the further reason that it purported to be a foreign product when, in truth and in fact, it was a product of domestic manufacture packed in the United States.

On September 30, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal or sold if such sale could be speedily effected.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11493. Adulteration of beans with pork. U. S. v. Edward Musen and Max Rosen (Union Market Grocery Co.). Pleas of guilty. Fine, \$150. (F. & D. No. 16222. I. S. No. 1240-t.)

On October 7, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward Musen and Max Rosen, copartners, trading as the Union Market Grocery Co., St. Louis, Mo., alleging shipment by said defendants, under the name of Diehm Grocer Co., in violation of the Food and Drugs Act, on or about August 23, 1921, from the State of Illinois into the State of Missouri, of a quantity of beans with pork which were adulterated. The article was labeled in part: "Altex Brand Pinto Beans with Pork * * * Packed By Adam Bros. & Sellers Co. Houston, Texas, U. S. A."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that the cans examined were rusty and that they were swells. All showed evidence of gas when opened. The product was fermented, had a bad odor, and the inside of the cans was badly corroded.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed and putrid animal or vegetable substance.

On November 29, 1922, defendant Max Rosen entered a plea of guilty to the information, and the court imposed a fine of \$75. On May 8, 1923, defendant Edward Musen entered a plea of guilty to the information and the court imposed a fine of \$75.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11494. Adulteration of chloroform. U. S. v. 24,200 Cans, et al., of Chloroform. Default decree of condemnation, forfeiture, and destruction with respect to a portion of the product. Consent decrees of condemnation and forfeiture with respect to remainder, and product released for nonmedicinal purposes. (F. & D. Nos. 16427, 16441, 16442, 16578, 16580. S. Nos. E-3958, E-3970, E-3971, E-4022, E-4024.)

On June 20, June 21, July 6, and July 7, 1922, respectively, the United States attorney for the Southern District of New York, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 37,053 cans of chloroform at New York, N. Y., alleging that the article had been shipped from Philadelphia, Pa., between the dates of December 16, 1921, and April 13, 1922, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Chloroform for Anaesthesia."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the chloroform in one shipment was turbid, contained impurities decomposable by sulphuric acid and chlorinated decomposition products, and upon evaporation it left a foreign odor; that in another shipment it was turbid, contained chlorid, impurities decomposable by sulphuric acid, odorous decomposition products, and chlorinated decomposition products, and upon evaporation it left a foreign odor; that in another shipment it was turbid, contained hydrochloric acid, free chlorine, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and upon evaporation it left a foreign odor; and that in the remaining shipments it was turbid, contained hydrochloric acid, impurities decomposable by sulphuric acid, and chlorinated decomposition products, and upon evaporation it left a foreign odor.

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

On January 5, 1923, no claimant having appeared for 436 cans of the product, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the said 436 cans of the article be destroyed by the United States marshal. On September 12, November 22, and December 4, 1922, respectively, judgments providing for the condemnation and forfeiture of the remainder of the product were entered by consent of the respective claimants, and it was ordered by the court that the product be released, on condition that it be not used for medicinal purposes, upon payment of the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

11495. Adulteration and misbranding of vinegar. U. S. v. 70 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 16887, 16888, 16889, 16890. I. S. No. 6530-v. S. No. C-2926.)

On October 23, 1922, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 70 barrels of vinegar, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped by the Powell Corp., Canandaigua, N. Y., on or about September 11, 1922, and transported from the State of New York into the State of Missouri, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Cider Vinegar Made From Apples Reduced To 4% * * * Man'd By The Powell Corp Canandaigua, N. Y."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar had been mixed and packed with and substituted wholly or in part for the said article.

Misbranding was alleged for the reason that the statement, "Pure Cider Vinegar Made From Apples," was false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of and offered for sale under the distinctive name of another article.